

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

DEBORAH YEHUDAH,

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Plaintiff

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vs.

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CASE NO. 3:06-CV-41 (CDL)

UNIVERSITY OF GEORGIA and
RACHEL HAMMOND,

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Defendants

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O R D E R

Plaintiff has sued Rachel Hammond and The University of Georgia for religious discrimination pursuant to Title VII of the Civil Rights Act of 1964. Defendants have filed a Motion to Dismiss Plaintiff's Complaint (Doc. 6) as to Rachel Hammond, contending that Ms. Hammond was not Plaintiff's employer, and therefore is not subject to Title VII. The University of Georgia seeks dismissal of the claims against it and seeks to have The Board of Regents of the University System of Georgia substituted as the proper Defendant (Doc. 7). For the following reasons, both motions are granted.

A claim under Title VII is properly asserted against the plaintiff's employer not against individual employees. *Busby v. City of Orlando*, 931 F.2d 764, 772 (11th Cir. 1991). Therefore, Defendants' Motion to Dismiss Plaintiff's claims against Defendant Rachel Hammond (Doc. 6) is granted.

Claims against The University of Georgia are properly asserted against The Board of Regents of the University System of Georgia.

McCafferty v. Medical College of Georgia, 249 Ga. 62 (1982). Accordingly, Defendant's Motion to Substitute Board of Regents (Doc. 7) is granted. The University of Georgia is therefore dismissed as a party, and The Board of Regents of the University System of Georgia is substituted in its place as the Defendant.

In summary, Defendants Rachel Hammond and the University of Georgia are dismissed from this action. Plaintiff's claims remain pending against The Board of Regents of the University System of Georgia.

IT IS SO ORDERED, this 25th day of April, 2007.

S/Clay D. Land

CLAY D. LAND
UNITED STATES DISTRICT JUDGE